

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/599,270 Confirmation No. 6402
First Inventor : **LANKHORST, Martijn Henri Richard**
Filed : September 25, 2006
TC/A.U. : 2827
Examiner : Unassigned

Docket No. : **NL04 0358 US1**
Customer No. : 65913

Title: **ELECTRIC DEVICE COMPRISING PHASE CHANGE MATERIAL**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE & AMENDMENT

Sir:

In response to the Office Action of October 1, 2009, calling for Restriction, Applicant respectfully traverses and indicates that there are no multiple species as alleged in the Office Action. With traverse, from Applicant's perspective, the alleged Species I through V, map to claims 1-9, and claims 11-15. Claim 1 being the sole independent claim, and the other claims presenting additional features. With traverse, Applicant elects these claims.

Furthermore, Applicant asserts since this is a 35 U.S.C. §371 national phase application, restriction under 35 U.S.C. §121 is improper and thus, should be withdrawn. Examiner is requested to consider the remarks that follow.

An Information Disclosure Statement accompanies these papers. Applicant believes no fee is due for the IDS. However, if fee is required, authorization granted to charge Deposit Account **50-4019**.

Amendments to the Specification there are no amendments in this paper.

Amendments to the Claims there are no amendments in this paper.

Remarks/Arguments begin on page **2** of this paper.